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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/609,413 | 07/01/2003 | Takashi Ishizaka | 0505-1209P | 9456 |
| 2292 | 7590 | 06/24/2005 | EXAMINER | |
| BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 | | | BONCK, RODNEY H | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3681 | |

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/609,413 | ISHIZAKA ET AL. | |
| | Examiner | Art Unit | |
| | Rodney H. Bonck | 3681 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 July 2003.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-20 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 01 July 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 11/05/03.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

DETAILED ACTION

The following is a first action on the merits of application Serial No. 10/609,413, filed July 1, 2003.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

Receipt is acknowledged of the Information Disclosure Statement filed November 5, 2003. The cited document has been considered.

The listing of references in the specification (line 10 of paragraph [0003]) is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Specification

The disclosure is objected to because of the following informalities:

The specification refers to "an SP material", e.g., in line 8 of paragraph [0004]. It is unclear what is referred to by "an SP material", and the term is apparently not defined in the specification.

In line 3 of paragraph [0029], "an eng portion" apparently should be – an end portion --.

Appropriate correction is required.

Claim Objections

Claim 10 is objected to because of the following informalities:

In line 2 of claim 10, "of is" apparently should be – is --.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by St. John('320). St. John discloses a centrifugal clutch comprising a clutch weight 33 having a plurality of weight component members 70 (Figs. 11-13), which are stacked and fixed to each other. Each of the weight component members 70 has a first part and a second part, wherein first part (holes 78) has a smaller specific gravity than the second part.

Art Unit: 3681

Regarding claim 11, St. John discloses a centrifugal clutch wherein the clutch weight is formed of members 70 with portions differing in specific gravity.

Claim 11 is further rejected under 35 U.S.C. 102(b) as being anticipated by Takefuta et al.('942). The Takefuta et al. device is a centrifugal clutch having clutch weights 22, wherein the clutch weights are formed of members having portions 26 or 26a differing in specific gravity.

Claim 11 is further rejected under 35 U.S.C. 102(b) as being anticipated by Jinnohara et al.(JP 63-23034). The Jinnohara et al. device is a centrifugal clutch having clutch weights 14a, wherein the clutch weights are formed of members having portions 14A differing in specific gravity.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

Art Unit: 3681

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2-10 and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over St. John('320) in view of Peterson('555). St. John does not appear to disclose making the weights of sintered metallic powder as called for in these claims, but making centrifugal clutches from sintered metal is well known, as acknowledged by applicants in the instant specification. St. John does disclose altering the weight plates to achieve differing engagement characteristics of the clutch. Peterson discloses pivotal centrifugal weights 40, 56 for use in a variable pulley and provides means to vary the mass and moment of inertia of the weights. The weight components in Peterson are made of sintered metal and can include portions at 52-55 of larger specific gravity to vary the position of the center of gravity of the weight member. Material can be charged or fitted in holes 52-55 to add this material. The weight components can be formed of members 64, 65, 66 stacked together (Fig. 9), the members having different shapes. It would have been obvious to carry this teaching to the centrifugal clutch of St. John, the motivation being to provide a means to vary the engagement characteristics of the clutch. Note that St. John provides opening at 39 for engagement by the spring 56. In providing the stacked members in St. John, it would be immaterial which of the

Art Unit: 3681

members has the spring openings and which has pivot openings, since they are all connected together.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jansson('587) is cited for its teaching of using sintered metal for a centrifugal clutch. Dietzsch et al.('964) and St. John('342) show other weight members formed of stacked components.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571) 272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3681

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney H. Bonck
Primary Examiner
Art Unit 3681

rhb
June 23, 2005